

FILED

SEP 11 2018

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

U.S. BANKRUPTCY COURT
BY [Signature] DEPUTY

In re:

PRACS INSTITUTE OF SAN ANTONIO,
LLC, et al.,

Debtors.

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§

CASE NO. 13-50743

(Chapter 7)

**APPLICATION FOR PAYMENT
OF DIVIDEND FROM UNCLAIMED FUNDS**

Intendis GmbH (“**Intendis**”) in its capacity as a claimant (“**Claimant**”) identified below, makes application for an order authorizing payment of unclaimed funds now on deposit in the Treasury of the United States for the benefit of Claimant. Claimant, along with certain other pharmaceutical companies (“Funding Sponsors”), funded the wind down of the Debtors operations and were creditors in the above-captioned bankruptcy case. Pursuant to an agreement approved by the Court, excess funding received by the chapter 7 trustee from these Funding Sponsors was to be returned to the Funding Sponsors, including Claimant. On closing of the case, the chapter 7 trustee had funds in excess of what he needed and sought to return those excess funds to all of the Funding Sponsors, including Claimant. The chapter 7 trustee issued a check (Check No. 169) in the amount of \$18,171.57 (“**Check**”) to “Intendis GmbH.”

Though it received the Check from the estate in March of 2018, Claimant failed to negotiate the Check before the expiration of 90 days, and the Check is no longer negotiable. When the Check was not negotiated, the chapter 7 trustee deposited the funds from the Check (\$18,171.57) into the registry of this Court. \$18,171.57 is due and owing to the Claimant. Claimant further shows that Claimant is:

Name: Intendis GmbH

Attn: Jeremy Jessen

Mailing Address: 100 Bayer Boulevard Building B100, 1B3110
Whippany, NJ 07981

Phone Number: (862) 4040-4914

Taxpayer Identification Number: See attached as **Exhibit A**: Form W-8BEN-E

A dividend in the amount of \$18,171.57 was awarded in this case to the Claimant, which dividend is currently unclaimed and held by the Clerk of Court.

Pursuant to the Bankruptcy Clerk's new procedures, Claimant has attached as **Exhibit B** a completed and signed Form AO213

Jeremy Jessen, Senior Compliance Counsel of Bayer Healthcare Pharmaceuticals Inc. on behalf of Intendis GmbH certifies under penalty of perjury that all statements made by Claimant on this application and any attachments required for this Application are, to the best of Claimant's knowledge, true and correct. Accordingly, Claimant requests the Court to enter an Order authorizing payment due upon this claim.

Dated: September 10, 2018

Respectfully submitted,

NORTON ROSE FULBRIGHT US LLP

By: 

Michael M. Parker
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300 Convent Street, Suite 2100
San Antonio, Texas 78205-3792
Telephone: (210) 224-5575
Facsimile: (210) 270-7205

COUNSEL FOR INTENDIS GMBH

VERIFICATION

STATE OF NEW JERSEY §
COUNTY OF Harris §

Before me, the undersigned notary, on this day, personally appeared Jeremy Jessen, Senior Compliance Counsel of Intendis GmbH. After I administered an oath to him, upon his oath, he said that he has read the Application for Payment of Dividend from Unclaimed Funds and the facts stated in it are within his personal knowledge and are true and correct.

Jeremy Jessen
Jeremy Jessen

SWORN TO AND SUBSCRIBED BEFORE ME this 5th day of September, 2018.

Constance M. Branch

Notary Public for the State of New Jersey

My commission expires:

CONSTANCE M. BRANCH
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 2/15/2021

CERTIFICATE OF SERVICE

I certify that on the 10 day of September 2018, a true and correct copy of the foregoing Application was served via first class, postage prepaid, United States Mail to the persons and entities listed below:

United States Attorney
601 NW Loop 410, Suite 600
San Antonio, TX 78216

Jose C. Rodriguez
Chapter 7 Trustee
342 W. Woodlawn, Suite 103
San Antonio, TX 78212

[Signature]